

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Charles Wayne Zornes,

Civ. No. 13-675 (PAM/FLN)

Plaintiff,

v.

Minnesota Department of Corrections,  
Oak Park Heights Facility,  
Sergeant Tom Fowler,  
Lieutenant Danny Kruse,  
Tammy Whereley, and  
Officers Unit 4,

Defendants.

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This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Franklin L. Noel dated April 29, 2013. The R&R recommended that this Court deny Plaintiff’s Application to Proceed in District Court Without Prepaying Fees or Costs, deny Plaintiff’s Motion to Stop Discrimination, and dismiss the action without prejudice. Plaintiff has not filed an objection to the R&R in the time period permitted. The Court therefore **ADOPTS** the R&R (Docket No. 9).

Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff’s Application to Proceed in Forma Pauperis (Docket No. 2) is **DENIED**;
2. Plaintiff’s Motion to Stop Discrimination (Docket No. 3) is **DENIED**; and

3. This action is **DISMISSED** without prejudice.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 24, 2013

*s/ Paul A. Magnuson*  
Paul A. Magnuson  
United States District Court Judge